

U. S. DISTRICT COURT  
WESTERN DISTRICT ARKANSAS  
FILED

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION**

**SEP 27 2007**

CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK

**MELINDA YPARREA and AMERICANA PRODUCTS  
COMPANY, INC, d/b/a AMERICAN PRODUCTS  
COMPANY, INC.; and MELINDA YPARREA, Individually** **PLAINTIFFS**

**V. CIVIL ACTION NO. 5:07-cv-05152-RTD**

**WAL-MART STORES, INC. DEFENDANT**


**MOTION TO WITHDRAW AS COUNSEL OF RECORD**

COMES NOW, David W. Clark, Mary Clay W. Morgan, and the firm Bradley Arant Rose & White LLP ("Movants"), counsel of record for the Plaintiffs Melinda Yparrea and Americana Products Company, Inc., d/b/a American Products Company, Inc., and Melinda Yparrea, individually ("Plaintiffs") and respectfully file this Motion to Withdraw as Counsel of Record. In support of this motion, Movants state as follows:

1. Movants respectfully request that they be allowed to withdraw as counsel of record in this case and further, that the Court's docket be corrected to reflect same.
2. Movants David W. Clark and Mary Clay W. Morgan are attorneys licensed to practice in the State of Mississippi.
3. As this matter has been transferred to the Western District of Arkansas, Plaintiffs are in the process of hiring new counsel to represent them in this matter.
4. As Plaintiffs are hiring new counsel who will enter an appearance on Plaintiffs' behalf, Plaintiffs do not object to Movants' request and will not be prejudiced by Movants' withdrawal.

WHEREFORE, PREMISES CONSIDERED, David W. Clark, Mary Clay W. Morgan and the law firm Bradley Arant Rose & White LLP respectfully request that they be allowed to withdraw as attorney of record for the Plaintiffs, and that the Court's docket be corrected to reflect same.

RESPECTFULLY SUBMITTED this the 26<sup>th</sup> day of September, 2007.

  
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DAVID W. CLARK (MBN 6112)  
MARY CLAY W. MORGAN (MBN 101181)  
*ATTORNEYS FOR PLAINTIFFS*

OF COUNSEL:  
Bradley Arant Rose & White LLP  
Post Office Box 1789  
Jackson, Mississippi 39215-1789  
Phone: (601) 948-8000  
Facsimile: (601) 948-3000

**CERTIFICATE OF SERVICE**

I, David W. Clark, attorney for Plaintiffs herein, do hereby certify that I have this day caused to be served, via United States Mail, postage prepaid, a true and correct copy of the foregoing to the following counsel of record for Defendant:

Kelly D. Simpkins  
Joshua Payton Henry  
Wells Marble & Hurst, PLLC  
P.O. Box 131  
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Matthew C. Carter  
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W. Asa Hutchinson, III  
Warner, Smith and Harris, PLC  
3333 Pinnacle Hills Parkway, Ste. 220  
Rogers, AR 72758

THIS, the <sup>th</sup>26 day of September, 2007.

  
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DAVID W. CLARK